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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

THE PEOPLE,

Plaintiff and Respondent,

v.

LAWRENCE RICO ALBANEZ,

Defendant and Appellant.

F058596

(Super. Ct. No. 09CM0222)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Kings County. James T. LaPorte, Judge.

Deborah Prucha, under appointment by the Court of Appeal, for Defendant and Appellant.

Office of the State Attorney General, Sacramento, California, for Plaintiff and Respondent.

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*Before Wiseman, Acting, P.J., Levy, J., and Cornell, J.

On January 31, 2009, at approximately 11:56 p.m., a Hanford police officer observed a car driven by appellant, Lawrence Rico Albanez, roll through a red light and change lanes without signaling. The officer pulled in behind the car and a check of its license plate disclosed that its registration had expired. The officer pulled the car over and approached the front passenger. As he spoke with the passenger, Albanez drove off and led officers on a chase during which he drove recklessly at a high rate of speed and ran red lights and stop signs. Albanez eventually pulled over and attempted to flee from the police but was subdued with a taser and a police dog.

The arresting officers recovered a baggie containing a gram of methamphetamine and an electronic digital scale from one of Albanez's jacket pockets. Another officer went to the location where the passenger had been seen discarding something out of the window and found a baggie containing 6 grams of methamphetamine.

On June 29, 2009, the district attorney filed an information charging Albanez with transportation of methamphetamine (count 1/Health & Saf. Code, § 11379, subd. (a)), possession for sale of methamphetamine (count 2/Health & Saf. Code, § 11378), possession of methamphetamine (count 3/Health & Saf. Code, § 11377, subd. (a)), evading a police officer (count 4/Pen. Code, § 2800.2, subd. (a)), resisting arrest (count 5/Pen. Code, § 148, subd. (a)(1)), driving under the influence of alcohol or drugs (count 6/Veh. Code, § 23152, subd. (a)), being under the influence of a controlled substance (count 7/Health & Saf. Code, § 11550, subd. (a)), and driving with a suspended license (count 10/Veh. Code, § 14061.1, subd. (a)). Counts 1 - 4 also alleged a gang enhancement (Pen. Code, § 186.22, subd. (b)(1)), a prior prison term enhancement (Pen. Code, § 667.5, subd. (b)), and that Albanez had a prior conviction within the meaning of the three strikes law (Pen. Code, § 667, subds. (b)-(i)).

On July 24, 2009, Albanez pled no contest to possession for sale of methamphetamine, evading a police officer, and resisting arrest and admitted the three

strikes law allegations in exchange for a stipulated term of four years and the dismissal of the remaining counts and allegations.

On September 1, 2009, the court sentenced Albanez to the stipulated term of four years: the midterm of two years on his possession for sale conviction, doubled because of the strike, a concurrent term of two years on his evading a police officer conviction, and a concurrent one-year term on his resisting arrest conviction.

Albanez's appellate counsel has filed a brief, which summarizes the facts, with citations to the record, raises no issues, and asks this court to independently review the record. (*People v. Wende* (1979) 25 Cal.3d 436.) Albanez has not responded to this court's invitation to submit additional briefing.

Following independent review of the record, we find that no reasonably arguable factual or legal issues exist.

The judgment is affirmed.